

5478. Adulteration of scallops. U. S. * * * v. 4 Five-gallon Cans of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8163. I. S. No. 1832-m. S. No. E-814.)

On February 28, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 five-gallon cans of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 26, 1917, by A. Barrus, Hatteras, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

On March 21, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*